

## TOLEDO PLANNING COMMISSION MINUTES

A regular meeting of the Toledo Planning Commission was called to order at 7:00 pm by President Terri Strom. Commissioners present: Anne Learned-Ellis, Paul Schneidecker, Linda Brodeur, Dawn Grafe, and Joyce Mackenroth. Excused was Stuart Miller.

Staff present: Community Development Coordinator (CDC) Rusty Klem and Secretary Arlene Inukai.

VISITORS: Michelle Hoak, Chris Lowe, Jay Watson, Fawn Ferguson

### APPROVAL OF THE AUGUST 12, 2009, MINUTES:

It was moved and seconded (Mackenroth/Brodeur) to approve the August 12, 2009, minutes as circulated and reviewed by the Planning Commission. The **motion passed**, unanimously, noting the absence of Miller.

### CONTINUED PUBLIC HEARING: MAJOR PARTITION TO CREATE THREE LOTS AND STREET AT 654 & 662 NE 8<sup>TH</sup> STREET, REQUESTED BY LARRY AND KIMBERLY TENDERELLA:

President Strom re-opened the public hearing by stating the nature and purpose. There were no declarations of ex parte contact, bias, or conflict of interest. The statements of rights and relevances and rights to appeal were then read.

Staff Report: CDC Klem reported a revised staff report and staff recommendation was submitted from last month. The hearing was continued last month in order for the applicant to provide information and provide additional input. In the amended report, staff recommends denial of the request. CDC Klem read a letter from applicant Larry Tenderella, submitted earlier in the day. Mr. Tenderella requested the application be withdrawn and he expressed appreciation of the Commission's time. CDC Klem reported Mr. Tenderella is still in the process of gathering information and looking at other options. Ultimately, he would like to sell or build on the property.

It was moved and seconded (Brodeur/Mackenroth) to accept the request to withdraw the application. The **motion passed** unanimously, noting the absence of Miller.

CDC Klem believes the applicant felt he could not overcome the problems and thought the chances of approval were slim. The applicant still wishes to do something with the property and is looking at options. Commissioner Brodeur stated the applicant still has a lot of issues to address. Commissioners noted the tight neighborhood and thanked staff for thorough information. This request becomes public record and new owners can review the issues for future projects.

### POTENTIAL DISCUSSION ITEMS:

#### Industrial Zone Review:

CDC Klem began work on an overlay district for the Toledo Industrial Park (TIP) and will submit a draft document to LCDC next week. He reminded Commissioners that this draft will require any

new development in the TIP to apply for a conditional use permit until the industrial zone re-write occurs. He wants to see comments from the State before moving forward with the hearings.

Urbanization:

CDC Klem reported that the City Council has asked for a Urban Growth Boundary (UGB) presentation for the Council worksession on September 23<sup>rd</sup>. He noted that the Council is considering annexing all properties in the UGB, but primarily expanding the City limits along Sturdevant Road. A feasibility study was completed some time ago to determine if sewer can be installed along Sturdevant Road, which encourages development in the area. Also, the Council is considering expanding the UGB to include the Olalla Road/golf course area. Commissioners are welcome to attend the worksession if interested.

CDC Klem commented that he is in favor of providing sewer along Sturdevant Road and encouraging development on the east side. The high school is served by City sewer and the existing pump station would need upgraded in order to serve the area. However, CDC Klem pointed out that the Olalla Slough area contains a lot of riparian lands, which are not developable.

CDC Klem believes extending the UGB to the north is not prudent at this time because the City cannot serve the area with water or sewer. A new water storage tank would have to be constructed. Commissioner Learned-Ellis commented on an application many years ago to cross Highway 20 and extend the UGB to Olalla Road. There were a lot of residents and agencies in opposition to the request and it was eventually withdrawn. CDC Klem stated that expanding the UGB goes against all trends because the City has not used up the existing UGB lands. He reported that Bend tried to annex all UGB properties and LCDC fought the project. He will gather information from other communities who have attempted this concept. In answer to Commissioner questions, CDC Klem explained there are funds, in the form of grants or loans, to pay for utility expansion, but ultimately, the homeowners will have to pay. Normally, the City funds the project (with grants or loans or reserve funds) then each newly served property will be assessed a share of the construction project for reimbursement. Local Improvement Districts (LID) were historically used for this type of project, but LIDs are moving out of favor and economic development grants are widely used. Commissioners discussed outside water agreements and using existing septic tanks. When sewer is available, properties must connect or sign an agreement to meet a deadline. Moving forward with forced annexation and UGB expansion is a very difficult political decision.

Other:

Next month will have an application for a UGB zone designation change.

Commissioner Mackenroth will soon move out of Toledo and the municipal code states that only two Planning Commissioners can reside outside of the City limits. There are currently two such members. Commissioners asked that Commissioner Mackenroth be able to serve until a replacement is appointed.

STAFF COMMENTS: None.

COMMISSIONER COMMENTS:

Commissioner Learned-Ellis was happy to hear Commissioner Mackenroth is not moving out of the area, but remaining local. Commissioner Mackenroth expressed interest in continuing her service until a replacement is found. Commissioner Brodeur thanked Mackenroth for her continued service.

Commissioner Schneidecker reviewed the minutes from last month and made it in. He asked if the new bank is the same design as the original plan the Commission reviewed. CDC Klem reported the plan is generally the same. There was an issue with the location of Georgia-Pacific's effluent line easement and the bank was moved slightly to accommodate the easement. Also, the parking deck has undergone some discussions with the City because of the location of the stormwater line. Commissioner Schneidecker commented that the project and parking deck concept is interesting.

Commissioner Grafe asked if the code enforcement topics have moved forward for Police Department programs. CDC Klem reported the Police Department received the priority list, but he was unaware if a formal program has been adopted as part of the list. Angelo Stephenson is now serving as a community service enforcement volunteer for the Police Department.

There being no further business before the Commission, the meeting was adjourned at 7:37 pm.

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Secretary

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President